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C O N F I D E N T I A L SECTION 01 OF 02 ABUJA 000458

SIPDIS

DEPT FOR AF/W, INR/AA  
BAGHDAD FOR DMCCULLOUGH

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TAGS: PGOV PREL NI

SUBJECT: NIGERIA: FOREIGN MINISTER SETS UP SURPRISE  
ENCOUNTER WITH EFCC CHAIRWOMAN

REF: A. 08 SECSTATE 084635

1B. 08 ABUJA 1573

1C. 08 ABUJA 1574

1D. 08 ABUJA 1595

Classified By: Ambassador Robin R. Sanders for reasons 1.4 (b) and (d)

¶1. (C) Foreign Minister Maduekwe called the Ambassador late Saturday March 14 to ask her to lunch on March 15 to discuss AMISOM following his most recent talks with President Yar'Adua on the issue, as well as to discuss his upcoming trip to Washington to meet with SecState and attend other private meetings. Ambassador arrived, was greeted in the normal fashion, and walked in the parlor to find another person sitting in the corner in the room. The Fonmin then announced that he had someone with whom he wanted the Ambassador to talk, and thought (at the last minute, he claimed) he would take advantage of the March 15 lunch to arrange that discussion. Once the dark glasses were off, the visitor was revealed to be Farida Waziri, Chairwoman of the Economic and Financial Crimes Commission (EFCC).

¶2. (C) The Ambassador immediately said she was under instructions not to have any contact with Mrs. Waziri until such time as the USG saw progress on issues which we had discussed with the GON on several occasions, and that if the Minister had arranged the lunch for her to talk with Mrs. Waziri, the Ambassador could not stay. Maduekwe, a little stunned, said he understood there was a big impasse between our two nations over the EFCC, but did not interpret this as a direct instruction from Washington. The Ambassador said it was. The FonMin then added that both he and the GON were frustrated by the lack of even a dialogue on the EFCC, adding that he wanted to push the issue to find some resolution to the impasse, or at least open the door for discussion on the issue, prior to his meeting with SecState. The Ambassador responded that blind-siding her was not the way to proceed, particularly since she was sure the FonMin knew that, if he had told her Mrs. Waziri was to be at the lunch, the Ambassador would not have come. The Ambassador stressed that she was not happy with this "little play," and would not be staying for the lunch. She added that she would be sharing what had happened with the Department, and was not sure of their reaction, particularly coming on the eve of the Minister's Washington trip .

¶13. (C) The FonMin said he understood, and took full responsibility for what he had done. He stressed that he thought it was in the best interest of both our countries to push the envelope, and was willing to take the full blame for being a "rascal." He reiterated that his goal in doing this was for the USG-GON relationship to get pass the impasse over the EFCC. He added that his desire was not to put the Ambassador in an uncomfortable position, but that he wanted to find some way to move the discussion forward, as most of the senior GON leadership was still smarting from the August 2008 USG demarche on the EFCC (reftels). He then said he would ask Mrs. Waziri not to stay for lunch, as he wanted the Ambassador to remain to discuss the key issues of AMISOM and his forthcoming meeting with SecState, the original intention he had stated for the lunch. He asked the Ambassador to forgive him, as his only intention was to find a way out of the impasse as he did not want this thorn in the side of the USG-GON relationship to remain as he started his own relationship with the new Secretary of State. He added that, even if we disagreed as nations, we should at least be able to have a dialogue on the issue, which currently is not the case as far as the GON is concerned. At least the British Metropolitan Police continue to meet with Waziri on the Ibori case as well as other operational issue, he concluded.

¶14. (C) The Ambassador turned to Mrs. Waziri, saying she hoped the USG position was clear to her, but reiterated: that there would be no meetings with her; that she would not be received by USG officials if she visited the U.S., though she certainly was not barred from traveling to the U.S. for personal reasons (she does hold a valid U.S. visa); and, that

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constantly seeking a meeting with, or inviting the Ambassador to her events, only put the Ambassador in the position of being rude in not being able to respond. The Ambassador noted that she had explained all this to the Chairwoman in their last phone conversation in November, 2008. She added that the reasons for the non-interaction remained the same: that the USG wanted to see progress on cases like that of ex-Delta Governor Ibori and others; that there was no confidence that Waziri had any political independence, and indeed that we thought she was being manipulated by Ibori and others (read Attorney General Aondoakaa); and, that there was still a fair amount of consternation over the redeployment of previously USG trained EFCC officials. The Ambassador said she also understood how the USG position affected our operational working relationship as she has heard this from her own Mission elements. With this, she allowed Mrs. Waziri to say a few words before her departure.

¶15. (C) The EFCC chairwoman and FonMin both thanked the Ambassador for being so direct, and claimed that there was a lot of misperception on the USG side. Waziri stated that she did not know Ibori before taking up her post, only met him coming out of the Villa, and that the USG-trained EFCC redeployed employees were not that many. To her knowledge, she said the number of USG-trained employees who had been redeployed was only 8-10, at least according to the EFCC's records, adding that most of them had been moved because they were not doing their jobs. Ambassador interjected that our impression was a much larger number than this, but in the end the numbers were not as important as the principle, noting that there was no desire on the USG's side to provide more money for training if trainees were later redeployed. On prosecutions, Waziri said that, despite the USG desire for more progress on the cases of the ex-governors, there was not much she can do if the evidence was not in the case files.

¶16. (C) Ambassador threw out our view on this is that perhaps the files had been tampered with and evidence removed, thus causing the problem she outlined. Waziri responded that she was sorry the U.S. considered her not competent to do her job, and thought she was involved in file tampering, something she insisted she would not do. Waziri said she was worried about how we could cooperate in other areas, such as

with NDLEA, since it was under EFCC laws that drug traffickers were arrested, and she was concerned about how our operational relationship was going to work under these conditions. She stated that she wanted to continue to be helpful in such areas, but if she could not interact with senior USG officials, she could not understand how things were going to work for both nations.

¶ 17. (C) The Ambassador admitted there were some operational challenges that had been outlined by her staff, and the USG was engaged in internal discussions on some modalities. She noted in particular the issue of the DEA-vetted units and NDLEA and her awareness of their need to use EFCC laws on money laundering in order to be effective, given that Nigeria has no anti-drug trafficking law. The Ambassador closed out the discussion by saying she expected not to hear about this encounter in any other quarter in Nigeria (i.e., in the press). Maduekwe then asked his wife to escort Mrs. Waziri out, and the Ambassador and FonMin then proceed to have their one-on-one lunch on AMISOM and other issues (SEPTEL).

SANDERS